The views he entertained on this subject were embodied in a protest signed by him some time since, that complaints were not brought before the court in the first instance, and then referred to a committee for investigation. He wished to know who was to pay the expense of this Chancery suit? Certainly not the rate-payers, as the parties who had ordered these works, it turned out, had no right to give any such order. The costs, he understood, were upwards of 250*l.*, which was an amount of great importance, and therefore he thought that a special court should be held to consider that question. By that time they would have the Vice-Chancellor's order. The question now was how far the officers were safe in carrying on their works. Every order, he doubted not, would now get into the solicitor's office; and the solicitor, on the other side, was delighted at the prospect of abundant employment.

Mr. R. L. Jones believed it was now time to take a common-sense mode of conducting the business of the court, instead of its being done by the Works Committee, who had taken upon themselves the authority of giving answers in the name of the court. To go through the minutes of their proceedings, he must say their acts were really astonishing. Were the court to meet week by week the business might be got rid of, the officers would be more at liberty to attend to their duties, seeking out what was proper to be done, instead of, as at present, their time being engrossed in their attendance upon committees. Another important principle required to be settled—as to some general plan in their works; but now, in one case, they would order a 9-in. drain, in another one of 2 ft. 6 in.; without any systematic plan whatever. They had also put it forth that a 6-inch pipe would carry off the entire drainage of 12,000 houses. Now, such a statement was truly ridiculous. They were wasting their time in experiments, while the wants of many districts were neglected. He instanced the present defective sewerage of Holloway, and, although they found 20,000*l.* in hand belonging to that district when they took office, yet that money had been appropriated to other objects, and the inhabitants of Holloway remained without any relief.

The Earl of Carlisle thought it useless to enter into these general topics, as the court had confirmed the order of the committee. It had been represented to them that persons were dying on the banks of this sewer, and however sorry he might be to see that their proceedings had brought them into the Court of Chancery, yet the inhabitants of Bermondsey had publicly thanked them for the measures that had been taken in their behalf. He thought directions should be given to their solicitors to devise measures for the purpose of coming to a solution of the difficulty with Mr. Rains, and he accordingly moved—"That the Vice-Chancellor's judgment be communicated to the surveyors, and that the solicitors be ordered to communicate with Mr. Rains with a view to an equitable adjustment."—This was unanimously agreed to.

State of the Sewerage of Blackfriars-road.—A deputation from the Board of Guardians of St. Saviour's Union, Southwark, attended the court to represent the offensive state of Blackfriars-road, in consequence of the stench arising from the gully-holes of the sewers.

Mr. Charles Brady addressed the court, and said that, as a medical man, he could positively state that most severe injuries were attributable to the acts of the present commissioners. He had for twenty-five years resided in this neighbourhood, but until about eighteen months he found no odour to offend the nose in any part of this locality; but now the neighbourhood was so completely infected that persons in the habit of coming from Brixton, Clapham, and other places, to their places of business in the City, avoided the Blackfriars-road altogether, in consequence of the offensive smells in every part of it. He believed the cause of this smell to arise from the fact of their having covered in an old open ditch, nearly seven feet wide, for which they had substituted a pipe of twelve inches bore, and this pipe being insufficient to discharge the contents of the old ditch, the stench was forced into the adjoining houses.

Mr. Chadwick defended the system of flushing, but it should be borne in mind that there were 300,000 cesspools in the metropolis, and according to the evidence contained in the third report of the the Sanitary Commissioners, it appeared that if the contents of them were brought together it would form one enormous cesspool of 50 feet in width, 6 feet 6 inches in depth, and would reach from the Broadway, at Hammersmith, to Bow-bridge, a distance of upwards of 10 miles. They had been charged with wasting 400*l.* per week in flushing, but it appeared that the whole amount spent for this purpose was 150*l.* per week, every sixpence of which represented a load of filth removed.

After observations from other commissioners, it was ordered that Mr. Grant, assistant surveyor, do accompany the deputation, survey the locality, and specially report upon it to the court.

The Retirement of Mr. Hertslet, the Clerk.—Mr. Leslie said, however painful it might be to him, if Mr. Hertslet persisted in his determination, he would move that his resignation be accepted. He wished to know if he had any communication to make on the subject.

Mr. Hertslet was willing to do so, if it was the wish of the court, and accordingly read a letter, of which the following is the pith:—

"I have never hesitated to express my opinion of the impracticable character of the Metropolitan Sewers Act, especially with reference to the improvement rates, which are by no means what I contemplated in my evidence before the Sanitary Commission, and which, I venture to predict, can never be carried out as a system, even though they succeed in a few isolated cases; nay, more, I am convinced that if attempted in their present shape they will greatly retard the practical good which may and ought to be effected by improvement rates.

I had hoped that, as the commission was to last but for two years, the court would have addressed itself at once, after modifying the more pressing evils, to the laying down of a definite and intelligible course of action for works, with a code of bye-laws embracing the general principles which should guide the public and the officers of the court; but, without going into details which would give offence, I will briefly say this has not been done: an entirely different course has been pursued, and I must, therefore, respectfully decline to continue in the service of the commissioners.

Our objects are, I am convinced, the same, but the mode of obtaining our objects is as opposite as it is possible to be. It is not the amount of work that has borne me down, but the anxiety caused by the conviction that the manner in which the work is set about is not the way to gain the point in view.

It has been suggested to me that blame may attach to me as order-clerk because I have not brought forward rules and regulations for adoption; but allow me to ask what rules could I propose for working out a system of which the outline even has never been communicated to me, if, indeed, it exist?

In proof that I am not alarmed by the vastness of the subject, I will add a few observations as to future plans; but before doing so, I must ask leave to explain a part of my letter of resignation which appears to have been misunderstood. It has been inferred in the public papers that I have applied for a pension, but all I have asked for is that I may not be considered to have waived my claim, should I, through age or infirmity, ever require such assistance. At present, and so long as I have health and strength to gain a competence, I must confess I am too proud to take, in such a way, the money of the rate-payers.

With regard to future drainage works, I believe that by a well considered plan, most valuable and at the same time most economical arrangements are easy of attainment; but the question of drainage cannot possibly much longer be allowed to stand alone, nor can the inhabitants of the metropolis be permitted to remain under the imputation of being the only people in the kingdom incompetent to manage their own affairs, or to have a voice in the details of measures for which they supply the means.

A Health Act must be introduced into the metropolis, but I respectfully submit that it must not be the present Public Health Act. The subjects of the following Acts are so blended that it is impossible to separate them; and the working of some of them is so arbitrary and oppressive as to demand their immediate alteration or repeal, viz.—

1. The Metropolitan Buildings Act.
2. The Metropolitan Paving Act.
3. The Metropolitan Sewers Act.
4. The various and numerous Acts for paving, water, &c., &c., within a radius of 10 miles of St. Paul's.

These Acts (taken in connection with such clauses as apply, of the Public Health Act and of the Nuisances Prevention Act), if not very valuable in the way of suggestion, will at least point out many things to be avoided in the future Act.

The working of an Act to be framed so as to embrace all these objects (and until all these objects are embraced no real good will be effected) should be intrusted to men standing high in the several professions of physic, engineering, and law. By adopting the commercial principle of payment for attendances, as Directors of Companies are paid, the services of six commissioners might be obtained for those of one on the present system. To work out the details of the system to be laid down under such guidance, I would recommend that the metropolis be divided into sections, keeping in view the two elements of property and population. Each of these sections, say eight or ten, should annually elect a commissioner or commissioners; and, again adopting the principle above alluded to, the commissioners so elected should be paid for each attendance, the number of attendances being limited so that no one commissioner should receive more than 200*l.* per annum. The public would thus have no one to blame but themselves if they did not obtain the services of a board in which they could most thoroughly confide, at a cost equal only to the salary of one or two commissioners paid as at present.

The saving that would thus be effected would be one of the least advantages, it would, however, be immense: I believe that the fees and expenses under the Buildings Act alone (between 30,000*l.* and 40,000*l.* a-year) would meet the whole demands, except, perhaps, the charges for extra supervision of important works, and the present charges and expenses under all similar acts for the metropolis would be entirely saved."

A special court was held on Monday last, for the purpose of taking into consideration the plan of Mr. Phillips, the surveyor, for the drainage of the whole metropolitan district, by means of a tunnel sewer, extending from Twickenham to Plumstead marshes, a distance of 19½ miles.

As the scheme proposed to embrace within its operation the drainage of the city of London, the Lord Mayor and the City Commissioners of Sewers were summoned, for the first time, under the provisions of the Act.

On the motion of the Earl of Carlisle, the Lord Mayor was called to the chair.

The first letter of Mr. Phillips, presented on the 21st of June, was read, as was Mr. Austin's observations in reply to the statements therein contained, some portions of which were of a very personal nature, and the general purport of it was, that Mr. Phillips's plan was so extremely faulty that it would be difficult to believe that any one holding the office of chief surveyor to the Metropolitan Commission of Sewers could have been serious in laying it before the court.—A letter was read from Mr. Phillips, which stated that, of the fourteen days allowed him for arranging his plan, estimates, &c., five of them had been taken up by the proceedings in the Court of Chancery.

Another letter was read from Sir H. De la Beche, pointing out that the strata through which the proposed tunnel would pass, were not entirely London clay, that faults would be found in them, and stating the difficulties that must arise if ever the tunnel became choked.

Mr. Phillips then produced a voluminous document, in exposition of his views, with the leading features of which our readers are acquainted.*

The Lord Mayor said, he observed in the reading of this document that no provision was made for the accumulation of the refuse at those seasons when sewage was not required in the country districts; and he wished to know how that was to be provided for?—Mr. Phillips said, as the sewage was received it would undergo a process of filtration, and the filtered water might then be discharged into the Thames. The extent of the dep t at Plumstead would be between seven and eight acres.

The Earl of Carlisle then rose and said, that he believed that this was a measure of immense importance, not only in respect to Mr. Austin and Mr. Phillips, but with regard to the commission itself, which, it might be considered, was put upon its trial, and that it should receive a scrupulous attention, so as to leave no doubt upon the mind of the public as to their impartiality. At that moment it was difficult to state the proper course, but he had no doubt that any suggestions would be properly received by the intelligent body of gentlemen that he then had the honour to address. He felt, nevertheless, from the largeness of the details that they had but heard for the first time, they could come to no sudden decision upon the question at the present moment. They had, happily, some engineers of high character in the commission, and therefore he suggested that this plan should be referred to them for their consideration.

Mr. Walter, M.P., hoped that if it was referred to civil engineers it would not be to those who were members of the commission, as one of them at least had expressed an opinion strongly against Mr. Phillips, who might not receive an impartial consideration.

Mr. Leslie thought the same opportunities should be given to Mr. Austin as had been afforded to Mr. Phillips for bringing forward his plan, and that both plans should be submitted to the metropolitan parishes, who would have to raise the money to pay for them, as it was quite impossible to undertake works of such magnitude unless they had the harmonious concurrence of those parties who were to find the funds.

Lord Ebrington objected to the theory that this court was tied to any one plan, as a particular plan might be good for one part of London and not for another. Whatever the views of the court might be as to the desirableness of coming to a just decision, he trusted that one plan would not be pitted against another, and if they were sent out, that they would be sent out simultaneously. He thought, too, that their former surveyor, Mr. Roe, whose loss to the commission as an active reformer be much deplored, should be communicated with and consulted on this

* Our notices have already extended to so great a length, that we must postpone the extracts we had made from the report.

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